IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Group Art Unit 2881

In re

Patent Application of

James Bateman et al.

Application No. 10/571,183

Confirmation No.: 9612

Filed: March 9, 2006

Examiner: David A. Vanore

"IONISING PARTICLE ANALYSER FOR THE SEPARATION OF THE FLUORESCENT YIELD AND THE TOTAL ELECTRON YIELD IN EXENDED X-RAY ABSORPTION FINE STRUCTURE MEASUREMENTS"

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The applicant of the above-identified application is entitled to small entity status.

Respectfully submitted,

David B. Smith Reg. No. 27,595

File No. 063511-9088-00

Michael Best & Friedrich LLP 100 East Wisconsin Avenue, Suite 3300 Milwaukee, Wisconsin 53202-4108 414.271.6560 X:\CLIENTB\063511\9088\A2788651.1